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Washington Examiner: Ryan Zinke recommends shrinking, not eliminating, some national monuments

Josh Siegel

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Interior Secretary Ryan Zinke on Thursday recommended that President Trump not eliminate any of the 27 national monuments the administration has been reviewing.

Zinke said he would urge Trump to shrink a "handful" of the monuments, although he did not specify which ones. Thursday was the deadline for Zinke's long-awaited review of national monuments as directed by an executive order that Trump signed in the spring. The White House confirmed Zinke provided his recommendations to Trump, but the Interior Department did not immediately share the details of the review with the public.

In an executive summary of the review released by the Interior Department, Zinke suggests he will seek changes to some of the monuments, although he does not specify which ones he wants to modify. He had previously eliminated six of the monuments from the review, saying he would recommend no changes to them.

Zinke earlier this year issued a preliminary recommendation for Trump to reduce the size of at least one national monument: Bears Ears in Utah. Bears Ears is perhaps the most contentious monument, established by former President Barack Obama last December just before he left office.

The news organization Utah Policy reported on Wednesday that Zinke may call for Trump to reduce the monument's 1.35 million acres by up to 88 percent. In addition to Bears Ears, Zinke recommended reducing the size of the Grand Staircase-Escalante, a Utah monument established by President Bill Clinton, as well as Oregon's Cascade-Siskiyou National Monument, the Washington Post reported. Cascade-Siskiyou was established by Clinton and expanded by Obama.

Echoing the argument of some Republicans, Zinke suggested that recent presidents have abused the 1906 Antiquities Act, which gives a president unilateral power to establish national monuments.

"No president should use the authority under the act to restrict public access, prevent hunting and fishing, burden private land, or eliminate traditional land uses, unless such action is needed to protect the object," Zinke said in the two-page executive summary.

The monuments under review were mostly designated by Obama, who set aside more federal land for protection than any of his predecessors. But the review also included monuments designated by Clinton and George W. Bush.

The Antiquities Act specifies that national monuments should cover "the smallest area compatible with proper care and management of the objects."

But Zinke notes that since 1996, the act has been used by presidents 26 times to create monuments that are 100,000 acres or larger.

"Adherence to the act's definition of an 'object' and 'smallest area compatible' clause on some monuments were either arbitrary or likely politically motivated or boundaries could not be supported by science or reasons of practical resource management," Zinke said in the executive summary.

Rep. Rob Bishop, R-Utah, the chairman of House Natural Resources Committee, told reporters Thursday he had not seen the full details of Zinke's monument review. But Bishop encouraged Zinke and the Trump administration to work with Republicans in Congress to reform the Antiquities Act.

"The review process has fostered much-needed public dialogue over the purpose, abuse and limitations of the Antiquities Act," Bishop said. "The Antiquities Act was created for a noble intention tailored for limited circumstances. That intent has clearly been abused by a few presidents for far too long, and that has changed the original intent of the act. Only Congress can permanently affect future abuses."

Despite his concerns about how the Antiquities Act has been used, Zinke acknowledged strong public support for keeping the monuments as they are.

In his 120-day review period, Zinke said he attended more than 60 meetings with advocates and opponents of monument designations, including local, state and tribal stakeholders. He visited eight of the 27 sites under review, and the Interior Department received more than 2.4 million public comments online.

"Despite the apparent lack of adherence to the purpose of the act, some monuments reflect a long public debate process and are largely settled and strongly supported by the local community," Zinke said.

Yet he seemed to question the integrity of the public comment process.

"Comments received were overwhelmingly in favor of maintaining existing monuments and demonstrated a well-orchestrated national campaign organized by multiple organizations," Zinke said.

Environmental and other interest groups said Zinke's criticism of them shows his review was politically motivated. "This bogus review was all along a front for a much more ominous and well-orchestrated agenda to dismantle America's natural treasures for the benefit of private profiteers," the Wilderness Society said Thursday. "Any actions that would dismantle these natural wonders would violate Americans' deep and abiding love for parks and public lands and fly in the face of 2.8 million Americans who expressed opposition to these changes."

As Trump decides how to act on Zinke's report, opponents note that a president has never rescinded a previous monument designation under the Antiquities Act.

Past presidents have reduced the boundaries of national monuments before, but those reductions were usually small.

Zinke's guidance to the president won't be the final word. It will likely spawn political and legal battles.

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